

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

KIM M. JONES,)
Plaintiff,)
v.)
MICHAEL J. ASTRUE,) NO.: 3:09-CV-26
Commissioner of Social Security,) (VARLAN/GUYTON)
Defendant.)

ORDER OF REMAND
UNDER SENTENCE FOUR OF 42 U.S.C. § 405(g)

Pursuant to the power of this Court to enter a judgment affirming, modifying or reversing the Commissioner's decision with remand in Social Security actions under sentence four of section 205(g) of the Social Security Act, 42 U.S.C. § 405(g), and in light of the parties' motion to remand this action, this Court now, upon substantive review, hereby enters a judgment under sentence four of 42 U.S.C. § 405(g) reversing the Commissioner's decision with a remand of the cause to the Commissioner according to the following terms. *See* Shalala v. Schaefer, 509 U.S. 292, 296 (1993); Melkonyan v. Sullivan, 501 U.S. 89, 97-98 (1991).

On remand, the case will be sent to an administrative law judge for further evaluation of the plaintiff's disability application, while also allowing plaintiff the opportunity to update the record. The ALJ will issue a new decision.

The Clerk of the Court will enter a separate judgment pursuant to Rule 58 of the Federal Rules of Civil Procedure.

ENTER:

s/ Thomas A. Varlan
UNITED STATES DISTRICT JUDGE